United Nations A/HRC/28/77

General Assembly

Distr.: General
5 January 2014

Original: English

Human Rights Council
Twenty-eight session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Recommendations of the Forum on Minority Issues at its seventh session: Preventing and addressing violence and atrocity crimes targeted against minorities (25 and 26 November 2014)

GE.15-00044 (E)
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Contents

		Paragraphs	*Page*
I.	Introduction	1–5	3
II.	General considerations	6–10	4
III.	Recommendations	11–91	4
	A. Recommendations to prevent violence and atrocity crimes	11–44	4
	B. Recommendations to address ongoing violence	45–67	9
	C. Recommendations for post-violence situations	68–91	12

I. Introduction

1. In accordance with Human Rights Council resolution 19/23, the present document contains the recommendations of the Forum on Minority Issues. The seventh session was held on 25 and 26 November 2014 and considered the theme of "Preventing and addressing violence and atrocity crimes targeted against minorities". The work of the Forum was guided by the Special Rapporteur on minority issues, Rita Izsák. The Chair of the session was Patrick Thornberry of the United Kingdom of Great Britain and Northern Ireland. Some 570 participants attended, including representatives of Member States and numerous representatives of minority communities, non-governmental organizations, United Nations specialized agencies, regional and intergovernmental bodies and national human rights institutions.

2. The recommendations contained in the present document are based primarily on the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The Declaration sets out the fundamental international human rights standards pertaining to the promotion and protection of minorities and recognizes that minority rights protection contributes to political and social stability and the strengthening of friendship and cooperation among peoples and States. The recommendations are also based on other existing international and regional human rights standards, principles and guidelines relevant to the promotion and protection of minority rights, including the Convention on the Prevention and Punishment of the Crime of Genocide. The jurisprudence and general comments of different United Nations treaty bodies and relevant reports and recommendations from special procedures mandate holders, including the work of the Special Rapporteur on minority issues, also informed the recommendations.

3. The recommendations take into account the principle of responsibility to protect and the three pillars of that principle, notably: the State carries the primary responsibility for protecting its populations from genocide, war crimes, ethnic cleansing and crimes against humanity and from incitement to those crimes; the international community has the responsibility to encourage and assist States in fulfilling that responsibility; and the international community has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means to help to protect populations from atrocity crimes, as stipulated in the 2005 World Summit Outcome (General Assembly resolution 60/1).

4. The range of issues covered by the recommendations is not exhaustive. They are action-oriented for use by a wide range of stakeholders to improve prevention and better respond to violence targeted against minorities. It is hoped that the recommendations will be interpreted in a constructive manner, in the light of binding human rights obligations, and in a spirit of cooperation and open dialogue, and that they will be used to make appropriate and informed choices when addressing and responding to violent situations affecting minorities.

5. The recommendations are phrased in broad terms and seek to be implemented in countries with diverse political, religious, historical and cultural backgrounds, with full respect for universal human rights standards. A great variety of country and minority situations exist and consequently, different measures may be required to prevent and address violence and atrocity crimes targeted against minority groups within a given State. Implementation of recommendations should be monitored and reviewed on a regular basis to ensure that they achieve the required objectives. The Forum has consistently emphasized that homogeneous solutions to different challenges are generally neither possible nor desirable, and that the recommendations should therefore be used with that in mind. The duty of States to protect their populations from violence and atrocity crimes, irrespective of national, ethnic, religious, linguistic or other identity, transcends any specific State ideology.

religion or value system, and is entrenched in universally accepted human rights instruments.

II. General considerations

6. The recommendations made in the present document should be read in conjunction with the substantive and action-oriented recommendations formulated at the six previous sessions of the Forum on Minority Issues, as they also apply to situations in which targeted violence against minorities is to be prevented and addressed.

7. In their efforts to prevent and address violence and atrocity crimes against minorities, all stakeholders are strongly encouraged to build their initiatives upon the four key pillars of minority rights protection: protection of existence; protection and promotion of minority identity; equality and non-discrimination; and the right to effective participation in all areas of civil, political, public, economic, social and cultural life.

8. It is important to recall that, in any measures aimed at implementing the recommendations, systematic consideration should be given to the specific conditions, situations and needs of women belonging to minorities, resulting from multiple and intersecting forms of discrimination.

9. All measures taken with a view to implementing the recommendations should be, to the fullest extent possible, developed, designed, implemented, monitored and evaluated in consultation with, and with the effective participation of, minorities including minority women.

10. Recognition of minority status is not solely for the State to decide. In accordance with the authoritative interpretation by the Human Rights Committee of the United Nations, the existence of minorities should be established by objective criteria. All efforts should be made to ensure that the principle of self-identification is respected.

III. Recommendations

A. Recommendations to prevent violence and atrocity crimes

1. Recommendations to States

11. As an essential violence prevention measure, States should comply with international standards of minority rights protection, equality and non-discrimination, and implement the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and other relevant regional and international standards in full.

12. Gross and persistent inequalities may create the conditions under which minority communities are made vulnerable to violence. It is necessary to understand and address the dynamics and the impact of discrimination, exclusion and inequalities, including intersecting forms of discrimination, in order to reduce the exposure of poor and marginalized minorities to persecution, insecurity and, ultimately, violence. States should encourage effective participation and promote equality and the constructive integration of persons belonging to minorities in the political, social, economic and cultural life of society. Special measures should be taken for the benefit of the most disadvantaged communities.

13. States should consider appropriate measures to ensure that persons belonging to minorities participate fully in the economic progress and development of their country, including by ensuring clear and fair provisions on land, equal access to public sector

employment, credit, technology, vocational and skills training, across the different ethnic, linguistic and religious communities.

14. States must adopt the necessary national legislation prohibiting and punishing discrimination on the ground of nationality, ethnicity, religion and language. National constitutions and legislation should operate in a democratic political framework based on the rule of law, with a functioning independent judiciary, and should guarantee full recognition of minority rights and minorities' participation in all aspects of the State and its institutions.

15. States should ensure that attention is paid to minority issues in the design, planning, implementation, monitoring and evaluation of development policies and programmes, including in the context of the post-2015 development agenda, as a means to strengthen good governance and the rule of law and reduce inequalities.

16. Legislation should be introduced prohibiting advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and ensuring appropriate penalties, in line with international standards, including in relation to freedom of expression and hate speech. States should take resolute action against incitement to violence, counter hate speech with positive messages and encourage the use of positive language by political, religious and other community leaders. States should take measures to monitor hate speech and incitement to violence, including in the media and social media, and respond appropriately, including by prosecuting perpetrators.

17. States should pay particular attention to and urgently address the situation of persons belonging to minority groups who may face the most severe and entrenched forms of discrimination and exclusion. Such discrimination and exclusion may include stigmatization and dehumanization on the basis of their work and descent or caste, notions of pollution and other forms of stigmatization resulting in wide-ranging exploitation, abuse and exposure to violence.

18. States should avoid the creation or persistence of statelessness, denial or deprivation of citizenship and long-standing situations of undocumented or uncertain migration status for persons belonging to minorities. Such situations leave minority communities vulnerable to violence and other rights violations, with only weak protection by State authorities who may not recognize them as citizens or nationals whose rights must be protected. Citizenship application processes must be fair, transparent and non-discriminatory towards all minorities.

19. States should take concrete action to ensure good and inclusive governance and the participation of minorities at all levels of politics and in decision-making bodies as an essential means of ensuring that the issues and concerns of minorities, including the threat of violence, are recognized as early as possible and are appropriately addressed by government and public bodies. The electoral system of States should ensure fair representation of all minority groups, especially smaller underrepresented ones.

20. Education has a key role to play in preventing violence and promoting understanding among communities. Culturally appropriate curricula, education methodologies and teaching materials that relate to the principles of human rights, minority rights, equality and non-discrimination and the positive contributions of minorities to societies should be integrated in formal and non-formal education, with a view to promoting understanding and tolerance between different groups in society. The teaching of languages, culture, religion and history of different groups should be encouraged throughout the education system, including in minority or multilingual educational institutions.

21. Particularly where historic tensions have existed, or violence has previously taken place, States should consider specific programmes and initiatives intended to prevent

violence and intercommunal tensions. They may include measures and mechanisms to ensure that minority groups are able to express themselves and their concerns, engage in national debate and dialogue, and identify solutions to the issues that their communities confront, based on the principles of inclusion, consultation and participation of minorities.

22. States should identify and implement early warning indicators to assess the existence of factors that potentially lead to violence and allow authorities to take immediate and appropriate action to prevent violence. Indicators should include those relevant to minorities and be assessed in consultation with minority communities.

23. States should consider establishing dedicated institutions or dedicated units or departments within existing institutions, including in ministries in charge of minority rights protection and promotion, and include staff members from minorities and with expertise on minority issues. Such institutions or departments can take the lead in designing and implementing policy, mainstreaming attention to minority issues, monitoring the situation of minorities, establishing complaints mechanisms, setting up instruments of dialogue to promote consultation, conducting research and investigating human rights abuses, threats and minority rights violations. They should have a clear mandate, authority and adequate budgetary allocation to operate efficiently. In situations in which tensions exist or violence has previously occurred, minority issues should be taken up at the highest government levels to ensure that there are adequate institutional and policy frameworks and attention to minority issues to prevent and address violence.

24. States should collect data disaggregated by, inter alia, gender, age, ethnicity, caste, religion, mother tongue and geographical location, including in national census processes. Such data, analysed in combination with socioeconomic indicators, provide a better understanding of the size and status of minorities and a factual basis for developing a common understanding of the causes of inequalities and exposure to violence, as well as targeted objectives in the context of inclusive initiatives intended to prevent violence. Such data should be based primarily on self-identification, and civil society and minority groups should be involved throughout the process from design to collection and analysis, in order to improve accuracy and consistency of data collection and evaluation processes.

25. Data collection procedures must comply fully with international standards of personal data protection and use, in order to avoid data being misused to target a specific minority. Minorities should be consulted fully regarding the collection and use of data as a confidence-building measure, particularly where violence has occurred previously. As a practical measure, persons from minorities should be trained in data collection methodologies and engaged in processes of data analysis.

26. As an essential element to preventing violence against minorities, States should adopt holistic, inclusive and proactive security and policing strategies and incorporate positive practices into wider law enforcement and protection strategies. Open-ended consultation with minority communities and their participation in violence prevention measures are essential.

27. In order to avoid biased behaviour towards minorities, including biased application of the law which leads to confrontational behaviour and intercommunal tensions or violence, States should ensure that minorities are adequately represented and retained in law enforcement, security sector and judicial bodies at all levels. Affirmative action measures should be implemented, such as outreach to minorities and transparent recruitment processes based on principles that include fair and equitable representation of all minority groups in law enforcement bodies, including at senior levels.

28. Particularly in societies in which violence or conflict have previously broken out, risk assessment methodologies should be employed, built upon analysis of past violent events to assess the extent to which certain communities may face renewed threats of

violence. Events or situations such as elections or periods of political or social unrest that feature or might exacerbate divisions based on national, ethnic, religious or linguistic identity should be carefully monitored to prevent possible violence.

29. In situations of emerging tensions, authorities should ensure that law enforcement bodies are appropriate and well prepared for the situation at hand, including the deployment of ethnically and religiously mixed personnel to areas of intercommunal tension. Practices such as the establishment of neighbourhood watches or similar mechanisms should be considered in order to identify threats at an early stage and alert law enforcement bodies.

30. Oversight bodies should be established to guarantee a professional and accountable police and security sector, including by ensuring independent examination of policy, programmes, recruitment and other policing and security activities. Oversight bodies should include members of minorities and have the mandate and technical capacity to address complaints of unfair treatment and abuse against minorities. Dedicated and specialist attention should be given to complaints from women belonging to minorities who are victims of sexual and other forms of gender-based violence.

31. Both induction and in-service training of law enforcement personnel in human rights and minority rights are essential elements of appropriate policing practice and should be designed to foster greater tolerance and respect for diversity, including the integration of gender issues in all aspects of the security and policing sectors. Training of law enforcement personnel should build capacities in the areas of early warning, including risk assessment methodologies to ensure that security personnel are well equipped to act autonomously, objectively and in a timely manner to warn about and/or counter the risk of violence.

2. Recommendations to non-State actors

32. Minority community associations, non-governmental organizations and community leaders should be constantly engaged in detecting the early signs of potential violence. They should maintain channels of communication between them and with all relevant authorities in order to identify concerns and threats and allow authorities to respond rapidly to situations of emerging tension, including through the promotion of networks and alliances. They should ensure that those who may experience multiple or intersecting forms of discrimination, such as women, people with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons, as well as young people, are represented in violence prevention initiatives.

33. Community leaders, including traditional, religious, youth and women leaders, should initiate and maintain constructive inter-ethnic and interreligious dialogue and should consider intercultural and interfaith initiatives, including youth initiatives, in order to promote harmonious relations, counter prejudices and misrepresentation about minorities and prevent violence potentially undertaken by terrorist or extremist nationalist, ethnic or religious actors. They should remain attentive to early signs of radicalization within their communities and prevent them from turning into violent extremism and sectarian violence.

34. Non-State actors and business enterprises should, in line with the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, promote and respect human rights wherever they operate, and refrain from any action which may create tensions between groups or directly or indirectly lead to violence targeted against minority groups, for example regarding land and access to resources or national development projects. Consultations with minorities should take place before pursuing any activity that may result in negative impacts on minorities and their environments or create community tensions.

35. Minority groups and majority communities should give special attention to the situation and perspectives of young people. Youth initiatives should be developed to

promote understanding, tolerance and mutual respect across communities as well as to eliminate the possible recruitment or exploitation of young people by groups that promote or incite violence.

36. National human rights institutions should consider establishing special units, sections or expertise on minority issues within their structures to ensure engagement with minority communities and monitoring of situations of potential threats and to support the implementation of human rights programmes in close contact and consultation with minority communities. National human rights institutions should be empowered to establish complaints mechanisms, accessible to persons or groups belonging to minorities, under which violence or the threat of violence may be addressed.

37. Public and private media bodies and sources should ensure minority representation and be accessible in different minority languages. Media bodies and sources must guarantee that they do not contribute to or allow hate speech and incitement to hatred or crimes of violence. Independent media monitoring bodies, including representatives of minorities, should be established to monitor media, social media and online output and, where necessary, raise concerns relating to incitement to violence with appropriate national authorities.

38. Minority groups and national non-governmental organizations should be aware of existing regional and international mechanisms in place and their potential role in preventing violence against minorities. Civil society should bring issues of emerging national concern to the attention of regional bodies and the international community.

3. Recommendations to regional and international actors

39. Regional human rights bodies should systematically pay attention to minority issues and potential threats to specific minorities within their work, including in the context of their monitoring of the implementation by States of regional and international standards. They should address specific questions to States on the situation of minorities and engage States on the nature of alleged threats or violence against minorities and on constructive ways of managing diversity as a preventive strategy.

40. Regional bodies should consider establishing specific regional mechanisms for the consideration of minority issues, including working groups, rapporteurs or other appropriate mechanisms that have the authority, inter alia, to undertake country visits and analyse situations where minority rights concerns exist. Coordinated regional early warning and urgent action mechanisms should be established and provided with adequate financial resources in order to respond quickly and appropriately to emerging situations of tension and prevent or limit their escalation into violence, serious human rights violations, or conflict.

41. International and regional organizations should increase their capacity to provide technical assistance to States, including in the fields of minority issues, non-discrimination, prevention of conflict and violence, and training of officials and law enforcement bodies. They should assist national authorities to disseminate and monitor implementation of regional and international norms and standards relevant to the protection of minorities from atrocity crimes, to deepen knowledge of the specific nature of atrocity crimes and to set up rules for mapping and assessing national capabilities in the institutional and judicial system. International and regional organizations should foster trust in the process of providing technical assistance and in the actors taking part in it and encourage close diplomatic relations with States in order to promote the delivery and implementation of such technical assistance.

42. The United Nations and its regional and subregional partners should improve their collective ability to prevent effectively and respond to future risks of serious violations of

minority rights, as stated in the Human Rights Up Front initiative, including by strengthening cooperation in respect of information gathering and sharing, and improving information flow between themselves and with States. They should improve expertise, exchange good practices and assessments of situations of common concern, and encourage mediation, diplomatic and dialogue initiatives to develop a common understanding of emerging security concerns, as well as ensure a timely and coordinated response.

43. The United Nations should assist States and civil society in building the capacity of minority communities and individuals to identify the specific issues they face, develop concrete solutions and empower minority groups and individuals to actively participate in the formulation and implementation of relevant local, regional and national law, policies and programmes aimed at preventing violence against minorities.

44. International and regional organizations should assist States and other relevant national stakeholders in disseminating findings and mapping implementation progress of United Nations human rights mechanisms and bodies. That should include the recommendations and concluding observations adopted by treaty bodies, those issued by special procedures and stemming from the Universal Periodic Review of the Human Rights Council and, when relevant to the situation, the recommendations of commissions of inquiry, fact-finding missions and other ad hoc human rights investigative mechanisms specifically addressing minority rights protection and promotion.

B. Recommendations to address ongoing violence

1. Recommendations to States

45. States must respect and ensure implementation of international human rights law and, where armed conflict is occurring, humanitarian law, regarding the protection of persons belonging to minorities who are at risk of or have experienced violence. All protective measures should take into account the complexity of situations in which minorities face recurrent violence from multiple actors, and should extend beyond the physical protection of individuals to the preservation of communities' cultural institutions, including places of worships, and livelihoods.

46. States have the primary responsibility to protect their populations from violence and atrocity crimes irrespective of national, ethnic, religious, linguistic or other identity, and should take immediate action in compliance with national and international law to stop violence as rapidly as possible and by all appropriate and proportionate means. Where appropriate, and on the basis of consultation and dialogue, States should provide technical and other assistance and support to other States to fulfil their responsibility to protect their population from violence or atrocity crimes.

47. States must ensure that minorities affected by violence, including the most marginalized groups and those affected by conflict in which they are not combatants, have access to immediate humanitarian aid and relief such as water, sanitation, food, shelter and health care and other essential services. Measures required may include the establishment of humanitarian corridors, safety zones and other protection and humanitarian access measures.

48. States must recognize that women belonging to minorities may be exposed to gender-specific forms of violence, including rape and other forms of sexual violence used as a "weapon" in conflict situations, forced marriage, trafficking and forced prostitution. States must take appropriate measures to protect women from the risks and threats of such violence.

49. States must take all feasible measures to ensure the protection and care of children belonging to minorities who are at risk of or have experienced violence, in accordance with the Convention on the Rights of the Child and international humanitarian law.

50. States should establish effective policing and security mechanisms capable of immediately stopping violence against minorities when it breaks out. They should establish and maintain strong and efficient channels of communication between communities and law enforcement bodies to enable communities under attack to contact State authorities quickly and trigger security responses.

51. Law enforcement personnel must be objective and professional, and act appropriately and without prejudice to protect minority communities. Positive practices include rapid deployment of ethnically and religiously mixed personnel to areas of intercommunal tension and violence, and appropriate command structures being put in place to enable officers on the ground to take operational decisions required to protect or defend communities experiencing violence.

52. Where appropriate, States should ensure that law enforcement responses to violence include deployment of female officers and other personnel who, where possible, are trained in dealing with women who may be victims of rape and other forms of gender-based violence.

53. States must ensure that minorities are not forced to leave their homes. In situations where minorities are forced to relocate for security reasons, relocation should take place with their free and informed consent and minorities, including women, should be involved in the planning and management of their relocation. Displacement locations should not expose minorities to additional risks, including those faced by women who may have to leave secure environments to collect food and water, access essential medical services and sanitation or other basic supplies. States should protect the property rights of minority groups and members of minorities, as well as their places of religious worship and cultural heritage.

54. Where possible, States should rapidly collect reliable data to establish and evaluate the impact of ongoing violence on minorities, including the number of deaths, injured persons, persons deprived of their liberty or displaced, and incidents of gender-based violence.

2. Recommendations to non-State actors

55. Other parties to armed conflicts, in particular any armed groups, must fully comply with international humanitarian and human rights law and should take all measures to ensure that the rights and security of minorities are adequately protected in areas under their control. Non-State armed groups should take part in interactive dialogue and a mediation process within the framework of peace negotiations to ensure the protection of civilians, in particular minorities facing atrocity crimes.

56. National human rights institutions should play a role in stopping violence, including by publicly denouncing violence, offering to act as impartial mediators in conflict situations, designing and implementing policies and programmes in emergency situations, monitoring, investigating and reporting episodes of targeted violence against minorities including, where necessary, to regional and international bodies.

57. National human rights institutions should promote consultation and dialogue with all parties to the conflict and conduct research and fact-finding missions in order to investigate incidents of violence against minorities. The role of national human rights institutions may be particularly important in mediation and independent investigation, particularly where the State and/or law enforcement bodies are perpetrators of, or implicated in, violence.

58. National human rights institutions or ombudsman's offices should consider establishing local offices or deploying staff to localities in which violence has taken place or is ongoing in order to closely monitor and report on situations.

59. Community and religious leaders should maintain inter-ethnic and interreligious dialogue when violence has broken out in order to help end violence and initiate action to protect minorities from continuing violence and possible atrocity crimes.

60. Media should report impartially and objectively on ongoing violence against minorities and conflict, using neutral language that does not aggravate tensions or increase the exposure of minorities to further violence.

61. As appropriate, non-governmental organizations and humanitarian actors should deploy staff and resources to provide assistance to minorities affected by violence. In the delivery of assistance, they should ensure that minorities participate in the formulation of resulting humanitarian strategies and that their operations do not expose their staff or any recipient of assistance to potential further violence.

3. Recommendations to regional and international actors

62. United Nations and regional human rights monitoring mechanisms should promptly monitor deteriorating situations of violence, including systematic and widespread sexual and gender-based violence, support initiatives in the area of humanitarian access and seek to employ all procedural and diplomatic means at their disposal to rapidly contribute to ending violence, for example by undertaking fact-finding missions to investigate atrocity crimes that may have been committed.

63. International and regional organizations should promptly assist States to engage in conflict resolution and stabilization efforts. They should ensure that such efforts address immediate protection concerns, as well as the structural causes of the conflict. International and regional organizations should ensure minorities' participation in the formulation of resulting strategies for those efforts. Such inclusive approaches to consultation should also include minority communities which have not taken up arms.

64. The Human Rights Council, the special procedures, the Special Adviser of the Secretary-General on the Prevention of Genocide and other relevant mechanisms should consider ways of strengthening the processing, management and evaluation of information about ongoing serious violations of minority rights and bringing information rapidly to the attention of relevant United Nations decision-making bodies, including the General Assembly and the Security Council.

65. In upholding the responsibility to protect principle, a range of tools and measures that do not involve the use of force are available to regional and international organizations. They should be prioritized and used in a calibrated and targeted way to provide protection, including targeted economic sanctions and travel bans on suspected perpetrators of mass atrocities.

66. In situations in which there is little domestic accountability, and in order to avoid creating security vacuums that can leave minorities at heightened risk, international and regional rapid-response accountability measures should be in place to reinforce domestic accountability capacities. They should include measures to provide physical protection to judges, lawyers and human rights defenders, and legal assistance to try cases involving serious criminality as well as mass atrocities.

67. As appropriate to the circumstances and the nature and extent of the violence being perpetrated, and in conformity with international law and standards, including the principle of the responsibility to protect, the international community should consider all means necessary to end acts of violence targeted against minorities. While diplomatic, mediation

and assistance measures should be prioritized, the international community must be prepared to take collective action, in accordance with Chapter VII of the Charter of the United Nations, if a State is manifestly failing to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

C. Recommendations for post-violence situations

1. Recommendations to States

68. In post-violence settings, including in the immediate aftermath of violence, States should intensify their efforts to ensure the comprehensive implementation of minority rights, non-discrimination and equality standards. Those rights and standards constitute the foundation for the prevention of further violence against minorities and help to establish the conditions for rebuilding divided societies, as well as their social, economic and cultural well-being.

69. In immediate post-violence settings, States should establish and implement effective communication strategies to assist in monitoring the situation and immediately open constructive dialogue with minority community leaders to hear their concerns, immediate needs and to help to build or restore trust and confidence.

70. Assessment of ongoing and urgent security and humanitarian situations should be undertaken to identify immediate and medium to longer term needs and risks posed to different minority communities, particularly where displacement has occurred, livelihoods have been affected and rapid return to places of origin is not possible.

71. In the immediate aftermath of violence or conflict, States should respond coherently, rapidly and effectively to provide basic safety and physical security to minorities, including the provision of basic services such as shelter, water and sanitation, health care and primary education.

72. Following incidents of violence or conflict, minority women and girls may be at particular risk of gender-based violence. States should pay particular attention to the situation of women belonging to diverse ethnic, national, religious or other minorities, who are often a target in post-violence scenarios as symbolic representatives of their community. Where women in post-violence situations have taken on household and community leadership roles, those roles should be recognized and fully integrated into post-violence decision-making processes.

73. States should pay particular attention to the situation and security of minorities affected by conflict in which they have been caught up, but to which they are not parties, including by protecting minorities from violence and from forced conversion by the main parties to the conflict.

74. In conformity with the Guiding Principles on Internal Displacement, States should pay particular attention to communities that have been internally displaced in the aftermath of violence or conflict. States should assess their needs and, where appropriate, ensure their secure, sustainable and voluntary return to their places of origin. Any decision upon their return or resettlement must be taken in consultation with communities, and in situations of protracted displacement, appropriate, durable, medium and long-term solutions should be put in place.

75. States should conduct in-depth analysis on violence and conflicts to uncover their underlying causes, including long-term structural causes, and to prevent violence reoccurring or developing into full-scale conflict. To that end, any conflict analysis framework should incorporate indicators on minority rights.

76. Fact-finding and investigations into violence should be undertaken at the earliest possible stage, including investigation of deaths, injuries, enforced disappearance and other serious violations and acts of violence against individual members of communities. Fact-finding should include an assessment of whether an ongoing or continuing risk of violence exists. Where the threat of continuing violence exists, an appropriate law enforcement response should be ensured either via the maintenance or strengthening of a law enforcement presence.

77. States should ensure equal and effective access to justice and accountability measures as a means to redress the legacies of human rights violations and atrocity crimes, ensure accountability, serve justice and achieve reconciliation. States should ensure that there is an enabling environment for minorities to access formal justice, including by guaranteeing their personal safety and security, identifying and overcoming legislative, administrative, social or cultural barriers that minorities, especially women, may face in exercising their right to access to justice. Such barriers may include onerous and discriminatory rules of evidence and procedural requirements, amnesty and immunity provisions. Community level justice initiatives may play a role, provided that they uphold basic human rights standards, including with regards to women's rights.

78. Transitional justice processes and mechanisms should be considered as a critical component of any framework aimed at restoring and strengthening the rule of law, provided that they are accessible, independent, impartial and effective for receiving, investigating and adjudicating complaints arising from an individual or groups of individuals belonging to minorities, including women and those who are most marginalized. Transitional justice processes and mechanisms should be informed by the four pillars underpinning transitional justice and accountability measures: the right to truth at both an individual and social level, the right to justice, the right to reparation and the guarantee of non-recurrence.

79. Post-violence truth, justice and reconciliation programmes should be designed with the full participation of the minority communities affected. They must be sensitive to the ways in which the deliberate targeting of people on the basis of their nationality, ethnic or religious identity may cause distinctive harms and should aim at empowering minority victims and providing justice and reparations, as well as restoring their dignity and life chances. Recovery and peacebuilding programmes and strategies in post-violence settings should be designed to reflect the interlinked and mutually reinforcing nature of development, peace and security and human rights issues affecting minorities.

80. In post-conflict situations, States should acknowledge the violence inflicted upon targeted groups. To that end, States should acknowledge the pivotal role of documentation, preservation and presentation of memory in the reconstruction of societies. States should take concrete measures to build a collective understanding of the past and strengthen the process of healing, including through the reconstruction of symbolic sites, socially determined spaces and infrastructures, commemoration events, or the erection of monuments. Particular attention should be given to the ways in which memory and mourning processes are framed, collected and perpetuated, including in the media and the education system.

2. Recommendations to non-State actors

81. The work of humanitarian actors in post-conflict and post-violence settings should be guided by the principles of humanity, neutrality, impartiality and independence. It should pay particular attention to ensuring that assistance reaches affected minority communities and that no discrimination or exclusion in access to assistance is experienced by minorities. Timely assistance should be provided to minority women who may be survivors of sexual violence, as should comprehensive health services, including sexual and reproductive health

for survivors of sexual violence. In delivery of assistance, humanitarian actors should ensure that their operations do not expose any recipient to potential further violence.

82. All actors conducting needs assessments on post-conflict or post-violence should be aware of political and security dimensions affecting minorities and should enable effective minority engagement with political and security actors present on the ground. Needs assessments should be undertaken by teams equipped with appropriate expertise in minority rights, using assessment tools designed in consultation with minorities.

83. Minority communities should build or renew communication inside the communities of victims, and where possible with other communities, including those that may have been perpetrators of violence. To that end, community leaders may consider engaging in programmes aimed at fostering dialogue and mutual trust, including memorialization at the individual, community and collective levels.

84. The media can play a significant role in promoting interfaith and intercultural dialogue among communities and in enhancing the development of a culture of peace and dialogue, including through independent and impartial coverage of events and post-violence or post-conflict peace processes.

85. Young people belonging to minority and majority groups affected by violence or conflict, either as victims, perpetrators or having played no role in the violence, should be encouraged to engage in face-to-face dialogue, identifying shared values, exploring cultural differences and discussing the issues of peace.

86. National human rights institutions should participate fully in the restoration of a strong human rights culture, including by focusing on training, education and public awareness programmes aimed at ensuring that minority rights are both understood and respected. They should monitor, inform and advise State authorities on specific post-violence issues affecting minorities and follow up on the integration of the rights and perspectives of minorities in any of the post-violence and reconstruction agendas.

3. Recommendations to regional and international actors

87. Regional organizations should maintain close and ongoing communication with national governments where violence has taken place and where necessary to support mediation, security, human rights and humanitarian responses.

88. As appropriate and in conformity with existing procedures and mechanisms, the United Nations should consider establishing commissions of inquiry comprising international experts to independently examine incidents of violence and accountability for atrocity crimes, and make recommendations based upon their assessments. States under investigation should cooperate fully with such inquiries and should provide full and unfettered access to commission members.

89. The United Nations should strive to ensure that transitional justice processes and mechanisms take account of the root causes of conflict, and address violations of all rights, including economic, social and cultural rights.

90. Relevant field-based United Nations bodies, mechanisms and specialized agencies should ensure that they have sufficient dedicated expertise on minority rights to promote and coordinate peacebuilding capacity development efforts in countries where intercommunal violence has been experienced.

91. As appropriate and in conformity with international law, the international community may consider supporting recourse to the International Criminal Court when States are unwilling or unable to prosecute the perpetrators of atrocity crimes against minorities.